

041904



16562 U.S. PTO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Submit an original, and a duplicate for fee processing)
(Only for nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No:

Nut-0001b

Page 1 of 3

First Named Inventor or Application Identifier

Gary J. Calton

Express Mail Label No: **ER8448199245** Date Mailed: 4/19/04**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee :
- a. ☐ Separate Fee Transmittal Form Submitted
- b. ☒ See boxes 30-32
2. ☒ Specification Total Pages
3. ☐ Drawing(s) (35 USC 113) Total Sheets
4. ☒ Oath or Declaration
- a. ☐ Newly executed:
- i. ☐ Original for first filing of nonprovisional application
- ii. ☐ Original for C-I-P application
- iii. ☐ Original for Continuation or Divisional application naming an inventor not named in prior application
(37 CFR 1.63(d)(5))
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20 completed):
- i. ☒ With no change of inventive entity in prior application needed
- ii. ☐ With deletion of inventors requested at Box 29(a)
(37 CFR 1.48(b)) (see also 37 CFR 1.63(d)(2) and 1.33(b).)
5. ☐ Incorporation By Reference (*useable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (*cover sheet & document(s)*)
9. ☐ 37 CFR 3.73(b) Statement (*to establish right of assignee to take action*)
10. ☒ Power of Attorney
11. ☐ English Translation Document (*if applicable*)
12. ☐ Information Disclosure Statement (*See 37 CFR 1.17(p) for fee*)
- a. ☐ Copies of IDS Citations
- b. ☐ (IDS) / PTO-144913.

22782 U.S. PTO
10/827190

041904

13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)(*Should be specifically itemized*)
15. ☒ Small Entity Statements:
- a. ☐ A small entity statement is enclosed claiming small entity status
- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired
16. ☐ Priority of ☐ U.S. provisional application Serial No. _____, filed on _____ ☐ foreign application No. _____ filed on _____ in _____ (country), is claimed under 35 U.S.C. 119.
17. ☐ Certified Copy of Priority Document(s)(*if foreign priority is claimed*)
18. ☐ Other Documents Enclosed: _____

REQUEST THAT APPLICATION NOT BE PUBLISHED PURSUANT TO 35 U.S.C. 122(B)(2)

19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

FOR A CONTINUING APPLICATION OR A 35 U.S.C. § 111(a) APPLICATION CLAIMING PRIORITY UNDER 111(b) PROVISIONAL APPLICATION

20. Check appropriate box and supply the requisite information:
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
21. ☒ Prior Application Information:
 US Serial No: 10/172,117, Filing Date: 6/14/2002
 Prior Application Examiner: Pulliam, Amy E.
 Prior Application Art Unit: 1615
22. ☐ Cancel in this application original claim _____ of the prior application before calculating the filing fee.
 (At least one original independent claim must be retained for filing purposes).
23. ☒ Amend the specification by inserting before the first line the sentence:
 This is a ☒ continuation ☐ division of application Serial No. 10/172,117, filed June 14, 2002.
24. ☐ Amend the specification by inserting before the first line the sentence:
☐ This application claims priority under 35 U.S.C. § 119 of the following provisional application Serial No(s). _____ and filing date(s) _____
☐ The entire disclosure of application Serial No. _____, filed _____ is incorporated herein by reference.
25. ☐ New formal drawings are enclosed.
26. ☐ A certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.
27. ☐ The prior application is assigned of record to: _____.
28. ☒ The Power of Attorney in the prior application is to:
 a. ☒ The power appears in the original papers of the prior application.
 b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

Inventorship Modifications For Continuation or Divisional Application

Page 3 of 3

29. ☐ Change the inventorship of this application by:a. ☐ Deleting the following inventors named in the prior application (37 CFR 1.53(b)(1)):

_____, because claim changes resulted in fewer than all of the previously named inventors of the prior application being the actual inventors of the invention being currently claimed in this CPA application (This request constitutes a Petition in accordance with 37 CFR 1.48(b))(See Box 4(b)(ii) and 37 CFR 1.17(i) for fee);

FEES30. ☒ The filing fee is calculated below:**CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW**

For	Number Filed	Number Extra	Rate	TOTALS
Total Claims	55	35	\$9.00	\$315.00
Independent Claims	3	0	\$43.00	\$0.00
1st Time Multiple Dependent Claims (Yes=1 or No=0) =		0	\$280.00	\$0.00
BASIC FILING FEE			\$385.00	\$385.00
TOTAL FILING FEE DUE:				\$700.00
Other Fees				
Fee Type				Fee Amount
Total Fees				\$700.00

31. ☒ Enclosed in a Check in the Amount of \$700.00, Check No. 5000
Two additional copies of this form are enclosed.

32. ☐ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 07-1770.
Two additional copies of this form are enclosed.

CORRESPONDENCE ADDRESS

33. ☒ Address all future communications to:
Beverly J. Artale
3826 Sunflower Circle
Suite 001
Mitchellville, MD 20721

April 19, 2004
Date of Signature

Address of Signator:

3826 Sunflower Circle
Suite 001
Mitchellville, MD 20721
USA

Beverly J. Artale
Attorney or Agent

Beverly J. Artale - Reg. No. 32,366
Telephone: 301 352 8577

☒ Attorney or agent of record
☐ Filed under 37 CFR 1.34(a)

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s):	Docket No. Nut-00016
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Serial No.	Filing Date	Examiner	Group Art Unit
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Invention: **MODIFYING UNDESIRABLE TASTES**

I hereby certify that this Patent Application _____
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents, Alexandria, Virginia,
22313-1458 on April 19, 2004 *JA*
(Date)

Beverly J. Artale
(Typed or Printed Name of Person Mailing Correspondence)

Beverly J. Artale
(Signature of Person Mailing Correspondence)

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